

Congress of the United States
Washington, DC 20515

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September 25, 2018

Honorable Chairman Ajit Pai
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Pai:

As you know, the race to 5G is on across the globe, and many nations are racing to lead it. Our country's leadership in 4G resulted in tremendous economic growth, and winning the race to 5G will bring even more economic success: 5G will contribute hundreds of billions of dollars to our economy and generate millions of new jobs. But America's success is not assured. Today, China and South Korea are eager to win this critical race, which is why we need smart, efficient Federal Communications Commission (FCC) regulations that promote investment so the U.S. ultimately wins the race to 5G.

Congress declared in the 1996 Telecommunications Act that it was critical to create a "pro-competitive, de-regulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans." That policy reflects Congress' decision that removing unwarranted regulation while balancing the important role of localities in the siting process will benefit our economy and help our citizens. We urge the FCC to do more to create guardrails that promote local deployment of advanced communications services, take steps to protect local authority, and help the U.S. win the race to 5G. As you undertake this effort, we urge the FCC to take the following principles into consideration.

First, the FCC should recognize localities' historic and ongoing role in managing rights of way to ensure safe deployment and achieve aesthetic goals. Reasonable, objective requirements should be permitted and should be published in advance so that providers know how to design their facilities.

Second, the FCC should establish "guardrails" to delineate where local regulations either promote or effectively prohibit the construction of the networks urgently needed for 5G and broadband. Such guardrails will benefit both localities and providers by clarifying what types of restrictions are appropriate or improper. For instance, requirements that all wireless facilities be placed underground (a physical impossibility for wireless) are the kind of regulations that are inconsistent with the national priority to deploy broadband to reach all Americans.

Third, the FCC should ensure that localities are fully compensated for their costs in issuing permits, overseeing deployment, and where necessary, managing the rights of way for use by communications providers. Such fees should be reasonable and non-discriminatory, and should ensure that localities are made whole.

Lastly, the FCC should set reasonable and enforceable deadlines for localities to act on wireless permit applications. The lengthy reviews for 200-foot cell towers are clearly not appropriate for the small cells that will be used to increase capacity and promote next-generation deployments. The distinction between siting large macro-towers and small cells should be reflected in any rulemaking. Reasonable deadlines should also be accompanied by reasonable enforcement of those deadlines.

We urge you to act swiftly to clear the way for more investment in our nation's vital communications infrastructure. The FCC should take steps to ensure capital is being invested in deploying broadband, not being spent on burdensome regulations that make investing in higher cost areas, particularly in rural America, less feasible.

We look forward to working with you in this important effort to ensure that the U.S. leads the way in 5G and reaps the economic and other benefits that advanced communications networks will provide to all Americans.

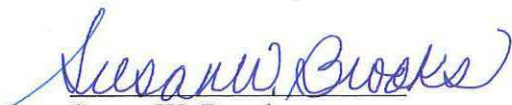
Sincerely,



Billy Long
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Fred Upton
Member of Congress




Susan W. Brooks
Member of Congress



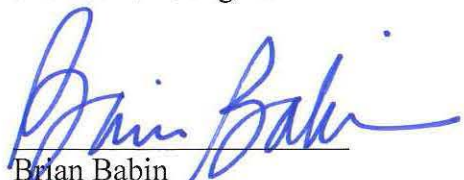
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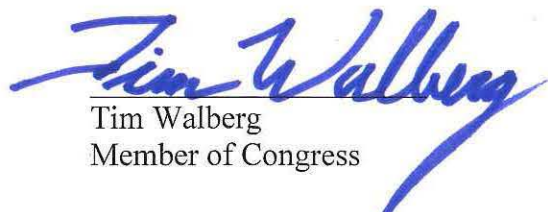
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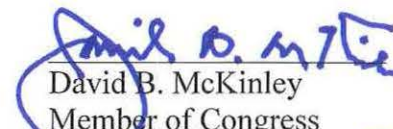

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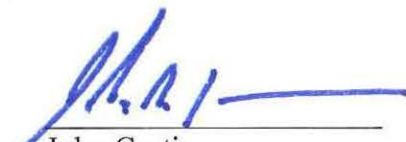

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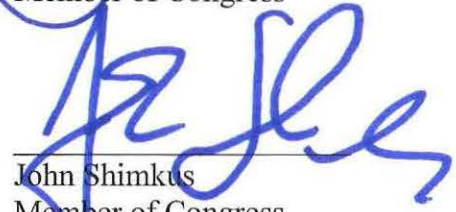

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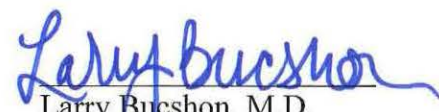

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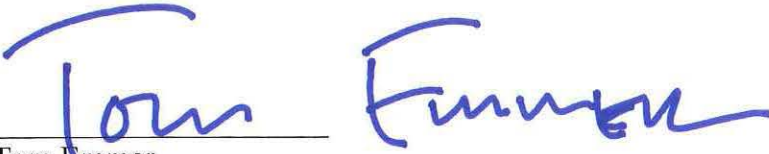

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